

Remarks

Status of the Application

Applicants respectfully request reconsideration of the rejections set forth in the Office Action mailed on April 24, 2003. The Examiner has rejected claims 1-2, 4-5, 7-11, and 14-17 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,452,433 to *Nihart et al.* (*Nihart*) in view of applicants admitted prior art (APA). The Examiner has further rejected claims 3, 6, and 12-13 under 35 U.S.C. § 103(a) as being unpatentable over *Nihart* in view of APA as applied to claim 7, and further in view of U.S. Patent No. 6,134,581 to *Ismael et al.* (*Ismael*).

Thus, claims 1-17 are pending in the current application.

The Claims

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 1-2, 4-5, 7-11, and 14-17 under 35 U.S.C. § 103(a) as being unpatentable over *Nihart* in view of APA. *Nihart* teaches a method of a controlling a local target component by a remote or local computer (*see* Figure 1). Control of the target component is affected by a protocol engine that, “responds to system management commands by generating instruction for performing the specified management operation in accordance with a predefined management protocol” (Abstract). A common agent interface is further disclosed that, “receives the instructions generated by a protocol engine and sends corresponding commanding a protocol non-specific format to the target system components which are the object of the specified management operation” (*id.*). Thus, control of a remote target component is achieved under *Nihart*.

Claim 1

In contrast, claim 1, in its amended form, particularly points out “[a] method of communication between a Common Information Model (CIM) object manager of a host computer in coordination with a repository application programming interface (API) and at least one CIM repository.” So, for example, as described in the Specification at pages 14-15, a management application creates a connection from application computer to a computer system. The management application then passes, to the method, a host name, a namespace, a user name,

a password, and the protocol by which it is desired to communicate with a host computer system. Any suitable network protocol may be identified such as RMI, XML/HTTP or DCOM. The CIM object manager then receives a method call from the management application that, for example, requires a database operation. In response to this method call, the CIM object manager identifies a suitable repository and an associated communication protocol and then makes a call to the repository API. The repository API checks the associated communication protocol desired by the CIM object manager using its method Get Repository API. This method returns a protocol-specific object, which is an instance of a class defined in a desired implementation. **If for example, the associated communication protocol parameter is LDAP, then the constructor definition of the desired implementation executes and results in an LDAP-specific object having LDAP-specific methods being returned to the CIM object manager.** Other protocols are also supported. Finally, the CIM object manager invokes a desired database method upon the protocol-specific object recently returned. Because the methods of this object are specific to the protocol desired by the CIM object manager, **communication between the repository API and the repository occurs using the desired protocol in a fashion transparent to management application and to the CIM object manager.**

As such, Nihart does not teach accessing CIM repositories as required by the present claim. Applicants further respectfully submit that the local connection (28) of Figure 1 does not teach a repository API. As set forth in the Specification at page 3,

Prior art implementations of this sort use a single protocol for communication from object manager 20 to CIM repository 26 over local connection 28. Such an implementation is inflexible in that the object manager commands to repository 26 are dependent upon a single protocol. In other words, the commands are not independent of the protocol; should the protocol be modified or if another protocol be used or desired, it will be necessary to rewrite portions of object manager 20 which would be undesirable.

Thus, the APA teaches communication using a **single protocol**. As such, a repository API that functions to create a protocol-specific object having methods implemented using an associated communication protocol as explicitly required by claim 1 is not taught by the prior art. In fact, no repository API would be necessary under the APA as only a single protocol is used.

Therefore, for at least the reasons stated above, Applicant believes claim 1 is patentable over the cited art and therefore respectfully requests reconsideration of the above rejection.

Claim 7

Claim 7 has been amended in manner similar to claim 1 to include further limitations now explicitly required by claim 1. As such, Applicant believes claim 1 is patentable over the cited art for at least the reasons stated above for claim 1 and therefore respectfully requests reconsideration of the above rejection.

Claim 14


Claim 14 is a computer-readable media claim that recites substantially the same limitations as does claim 1 and therefore the Applicant contends that claim 14 is also allowable over the cited art for at least the reasons cited for independent claim 1.

All remaining dependent claims depend either directly or indirectly from independent claims 1, 7, and 14 and are therefore also allowable over the cited art for at least the reasons stated for claims 1, 7, and 14.

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP



Damon K. I. Kali
Reg. No. 50,541

P.O. Box 778
Berkeley, CA 94704-0778
(650) 961-8300